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USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 1

Docket No.: OPTIS.039A

CUSTOMER NO. 20995

Applicant : Bernhard B. Sterling et al.
App. No. : 10/055,875
Filed : January 21, 2002
For : REAGENT-LESS WHOLE-BLOOD
GLUCOSE METER
Examiner : Roy Punnoose
Group Art Unit : 2877

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (703) 872-9306 on the date shown below:

March 26, 2004

Mark J. Kertz

Mark J. Kertz, Reg. No. 43,711

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

- (X) Petition to Correct Inventorship in 2 pages.
- (X) Statement of Heidi M. Smith in 2 pages.
- (X) Statement of Jane J. Sheill in 2 pages.
- (X) Statement of Martin J. Fennell in 2 pages.
- (X) Establishment of Right of Assignee to Take Action and Consent of Assignee in 2 pages.
- (X) Copy of Assignment in 13 pages.
- (X) Total pages in transmission: 24 pages.

NOTE: This is a RE-SUBMISSION of papers previously filed by hand delivery on January 22, 2004.

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OPTIS.039A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bernhard B. Sterling et al.
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PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions under 37 C.F.R. § 1.48(a) to correct the inventorship of the above-captioned patent application. In particular, Applicant wishes to change the inventorship as follows:

1. DELETE: Heidi M. Smith
2. DELETE: Jane J. Sheill
3. DELETE: Martin J. Fennell

Submitted herewith are statements of each of the persons to be deleted, that the inventorship error occurred without deceptive intent on his or her part. The originally-filed declaration contains a declaration of each of the actual inventors as required by 37 C.F.R. §§ 1.48(a)(3) and 1.63. The fee set forth in 37 C.F.R. § 1.17(i) is enclosed. Written consent of the Assignee of the present application is submitted herewith.

Appl. No. : 10/055,875
Filed : January 21, 2002

Accordingly, Applicant respectfully submits that the present petition should be granted.

Please use Customer No. 20,995 for all communications. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Jan. 21, 2004

By: Mark Kertz

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